

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

<b>BRENDA ROSADO, on behalf of J.R.,</b>	:	
	:	
<b>Plaintiff</b>	:	<b>CIVIL ACTION NO. 3:18-2127</b>
	:	
<b>v.</b>	:	<b>(MANNION, D.J.)</b>
	:	
<b>ANDREW SAUL, Commissioner of Social Security,<sup>1</sup></b>	:	<b>(SCHWAB, M.J.)</b>
	:	
<b>Defendant</b>	:	

**ORDER**

Before the court is the report and recommendation (“Report”) of Magistrate Judge Susan E. Schwab wherein she recommends that the decision of the Commissioner of the Social Security (“Commissioner”), which denied the plaintiff Brenda Rosado’s (“Rosado”) claim for supplemental security income on behalf of her minor daughter, J.R., be affirmed. ([Doc. 19](#)). No objections have been filed to the Report.

Where no objections are made to the report and recommendation of a magistrate judge, the court should, as a matter of good practice, “satisfy itself that there is no clear error on the face of the record in order to accept the

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<sup>1</sup> On June 17, 2019, Andrew Saul was sworn in as the Commissioner of the Social Security Administration. Pursuant to [Fed.R.Civ.P. 25\(d\)](#), he has been substituted as the defendant in this case.

recommendation.” [Fed.R.Civ.P. 72\(b\)](#) advisory committee’s note; see *also Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F.Supp.2d 465, 469 (M.D.Pa. 2010) (citing *Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining judges should give some review to every report and recommendation)). Nevertheless, whether timely objections are made or not, the district court may accept, not accept, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. [28 U.S.C. §636\(b\)\(1\)](#); [M.D.Pa. L.R. 72.31](#).

After reviewing the parties’ briefs, the Commissioner’s final decision, and the relevant portions of the administrative transcript, Judge Schwab determined that the Commissioner’s final decision is supported by substantial evidence. The court has likewise reviewed those documents, as well as the the report and recommendation of Judge Schwab, and finds no clear error of record. Further, the court agrees with the sound reasoning upon which Judge Schwab’s decision is based. Therefore, the court will adopt the report and recommendation in its entirety.

**NOW, THEREFORE, IT IS HEREBY ORDERED THAT:**

**(1) The Report of Judge Schwab, ([Doc. 19](#)), is ADOPTED IN ITS ENTIRETY;**

- (2) Rosado's appeal, ([Doc. 1](#)), is **DENIED**;
- (3) The decision of the Commissioner is **AFFIRMED**; and
- (4) the Clerk of Court is directed to **CLOSE THIS CASE**.

s/ Malachy E. Mannion  
**MALACHY E. MANNION**  
United States District Judge

**DATE: June 8, 2020**

18-2127-02